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2 statement.

3 Q Please continue.

4 A I want to thank you, Judge Mollen, and the  
5 members of the City of New York Commission to  
6 Investigation Alleged Police Corruption for this  
7 opportunity to testify today. I would ask that, in  
8 addition to testifying, I have the opportunity before you  
9 issue your final report to comment in writing and in  
10 detail on a number of statements and assertions that were  
11 presented in the course of the hearings.

12 Nothing is more important to the successful  
13 policing of the nation's largest city than the integrity  
14 and credibility of the members of its Police Department.  
15 The corrupt act of even one police officer inflicts  
16 incalculable damage on the rest. It undermines pride in  
17 the professional, and it erodes public confidence in the  
18 men and women from whom the people of New York have every  
19 right to expect complete honesty and incorruptibility.

20 This is especially true as the Police  
21 Department embraces community policing and enlists the  
22 support of people who live and work in the neighborhoods  
23 of this City. We can hardly ask the people to join the  
24 police in a partnership to combat crime if they have  
25 reason to believe that police officers themselves are

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2       engaged in it. We can hardly expect the overwhelming  
3       majority of honest police officers to take pride in their  
4       job -- in one of the toughest law enforcement  
5       environments anywhere in the world -- if the corrupt  
6       police officer easily escapes detection and punishment.

7                 The people of New York City must know they can  
8       count on the members of their Police Department to be as  
9       honest as they are brave and able. They must know they  
10      can count on the Police Department to track down and  
11      drive from our ranks those who violate their oath and  
12      break the law.

13                 It is fundamental to the honest operation of  
14       government that the police be honest. The most renowned  
15       of New York City's Police Commissioners understood this  
16       better than most. Police officers, Theodore Roosevelt  
17       said, "do not merely preserve order . . . but to a large  
18       portion of our population they stand as the embodiment as  
19       well as the representative of the law of the land."  
20       Roosevelt said, "No police force is worth anything if its  
21       members are not intelligent and honest." And that  
22       observation is as true today as when Roosevelt made it  
23       nearly a century ago.

24                 In a police department soon to exceed 31,000  
25       uniformed members -- some two and a half times bigger

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2 than Chicago's and more than four times larger than Los  
3 angeles' -- the corrupt police officer is all but  
4 inevitable. However, tolerance for the corrupt police  
5 officer is neither inevitable nor acceptable. That is  
6 why you, Judge Mollen, and your fellow Commissioners  
7 perform a high public service in examining the extent of  
8 corruption in the Police Department and the extent of the  
9 Department's failure to combat it.

10 Over the last several months, the Police  
11 Department has supplied the investigative staff of the  
12 Commission with thousands of files in preparation for  
13 these hearings. I would like to note for the record that  
14 your investigators were at all times thorough and  
15 professional, and the Police Department takes pride in  
16 the fact that many of them are former members of the  
17 Department.

18 As familiar as I had become last year with the  
19 particulars of the Michael Dowd case, I was revolted  
20 nonetheless by the testimony of Dowd and the other  
21 corrupt ex-police officers who testified before you.  
22 None of them took personal responsibility for their  
23 depravity. If Dowd abused alcohol on the job, it was  
24 because his supervisor encouraged him. When he steals  
25 the savings of a hard-working woman, it is to win the

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2 acceptance of his new partner. Cawley beats people, not  
3 because he's a thug, but because his sergeant rewards  
4 him. The self-serving chorus was always the same: The  
5 Police Department made me do it.

6 Most galling of all was their insistence that  
7 they kept quiet about criminal activity they witnessed  
8 out of some unshakable bond with their brother officers,  
9 rather than the self-serving actions of corrupt hoodlums.  
10 Cawley claimed he would never betray another cop, yet he  
11 gladly sold guns to people who could use them to shoot  
12 police officers. Beyond their self-confessed acts of  
13 thievery, extortion, and brutality, the witnesses were  
14 offensive in another respect: They tried to paint  
15 themselves as typical police officers gone astray.

16 The truth is something else. Most police  
17 officers consider Dowd and Cawley and their ilk to be  
18 despicable. They are, in the vernacular of the street,  
19 "low lifes" who deserve to be in prison. Most police  
20 officers I know would have locked them up themselves, and  
21 most police officers I know were outraged by their  
22 posturing. They never should have been police officers  
23 in the first place, a subject to which I'll return later  
24 in my testimony.

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As shocking as they were, these witnesses

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2 served a purpose in raising legitimate questions as to  
3 how they could function unimpeded for as long as they  
4 did. They raised questions that bear serious examination  
5 as to how well out supervisors are trained and deployed  
6 and whether they are tempted to close their eyes to  
7 suspected wrongdoing by officers under their command.

8 These were among the same questions first  
9 raised in a series of articles written by columnist Mike  
10 McAlary in June 1992. As a result of those stories, I  
11 undertook a review of how the Michael Dowd case was  
12 mishandled. I think it is important to know that we  
13 responded when these problems surfaced. We identified  
14 them publicly and began the job of correcting them. That  
15 process continues today.

16 On November 16, 1992, I reported a number of  
17 failures, including:

18 (1) The dual system of corruption  
19 investigation blurred responsibility and diminished  
20 accountability.

21 (2) IAD'S ability to determine its own  
22 workload was an obstacle to the efficient and effective  
23 conduct of investigations.

24 (3) The FIAU's were hampered by a lack of  
25 resources and by IAD's dismissive posture toward them.

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2 (4) There was a failure to use time-honored  
3 investigative techniques to achieve results.

4 (5) IAD lacked a credible case management  
5 system.

6 (6) Access to important case information was  
7 too limited.

8 (7) The level of staffing for internal  
9 investigations was inadequate.

10 (8) Internal investigative units had  
11 difficulty recruiting and retaining qualified  
12 investigators.

13 (9) FIAU investigators conducted most  
14 corruption investigations but were inadequately trained  
15 and were provided inadequate equipment.

16 The central question to emerge from the Dowd  
17 case was how could a corrupt police officer identified by  
18 the system as a problem operate with such impunity for so  
19 long without being caught by the Department. Dowd was  
20 not protected as part of some conspiracy or coverup, but  
21 Dowd was not stopped sooner because the anti-corruption  
22 system in place was bifurcated and large ineffective when  
23 it came to major investigations.

24 Before a clear, unified chain of command was  
25 put in place, corruption investigations were the

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2 responsibility of both IAD and the Field Internal Affairs  
 3 Units. The creation of the Field Internal Affairs Units  
 4 in 1972 was well intentioned. It was intended to fix  
 5 responsibility for corruption prevention at the command  
 6 level. That's why the FIAU officers were answerable to  
 7 separate field commanders, while IAD had oversight  
 8 responsibilities. The effect was to obscure  
 9 responsibility rather than reinforce it.

10 In my view, the best way to assure  
 11 accountability is to make responsibility as clear cut and  
 12 unambiguous as possible. In theory the former IAD would  
 13 monitor FIAU investigators and run parallel  
 14 investigations to check on the quality and integrity of  
 15 their activities, but, in fact, very little of either  
 16 occurred.

17 We found that the Field Internal Affairs Units  
 18 suffered not only from a lack of IAD oversight support,  
 19 but from a lack of equipment and personnel. They had  
 20 case loads much larger than IAD's. IAD itself  
 21 investigated only 5 percent of all corruption cases. We  
 22 found that the FIAU's received little if any guidance as  
 23 to which cases to close and which ones to devote more  
 24 time.

25 We also found that there was an over-reliance

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2 choice among all candidates seeking assignments as  
 3 supervisors to any investigative arm of the Police  
 4 Department. In other words, the career path for  
 5 investigative supervisors in the New York City Police  
 6 Department is now through the Internal Affairs Bureau.  
 7 IAB gets whomever it deems the best, and we are providing  
 8 these outstanding supervisors with training that we found  
 9 lacking in the past.

10 We sought out a management consulting firm with  
 11 a worldwide reputation for excellence, McKinsey &  
 12 Company, and asked them to undertake a thorough  
 13 management review of the Department's corruption-fighting  
 14 systems. As a result of the firm's recommendations, we  
 15 installed new case management and quality control  
 16 systems. We are obtaining a new state-of-the-art  
 17 computerized information system to greatly improve the  
 18 quality of our investigations.

19 We established nine working groups comprised of  
 20 Police Department executives and experts from outside of  
 21 the Department to address specific areas of concern.  
 22 They included Process and Organization, Information  
 23 Systems, Investigative Techniques, Personnel Selection  
 24 and Career Path, Training, Equipment, Physical Plant,  
 25 Legal, and Transition.

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We initiated weekly steering committee meetings within IAB for the purpose of continual case review, providing for problem solving and reinforcing accountability. We introduced a comprehensive training program for IAB personnel. Working with the Department of Investigations and the Police Department's Detective and Organized Crime Control bureaus, we developed a model package of equipment for investigative and surveillance teams and spent \$2.7 million acquiring it for them. We also introduced a new vehicular fleet for IAB, making unobtrusive leased cars and special surveillance vehicles available to investigators.

We are working to reduce backlogs, to close cases without investigative merit, and to build evidence to prosecute all serious cases. While we are determined to move cases efficiently and expeditiously, we are also prepared to devote time and resources to long, complicated cases that merit such attention.

McKinsey & Company cited the "large reactive management" of corruption cases in the past, so we are taking an aggressive posture, putting into play sophisticated sting operations to bring corrupt police officers and others into our net.

We are using integrity tests, both targeted

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tests against officers suspected of corruption, as well as random tests that could reach anyone. If there was ever a reluctance to turn corrupt officers against each other, I do not share it. We will turn them -- we may even give them a chance to redeem themselves -- in order to bring down the others.

We are debriefing drug dealers and confidential informants to determine whether they are aware of any police corruption. We will use criminal informants, and we will seek the district attorney's help in doing so. We will make the case for wire taps and use them.

We have examined the times of corruption-prone activities and provided additional IAB coverage from midnight to 8 a.m. Also, for the first time, IAB investigators are dispatched as a matter of course to incidents in which a person is shot by a police officer. We have established a special litigation unit to pursue allegations of wrongdoing when they first surface in notice of claims against the City. We are examining any correlation between corruption complaints and complaints of excessive force that are made with the Civilian Complaint Review Board.

After listening to the testimony of witnesses and Commission staff members, the Police Department is

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making every effort to treat people who make corruption complaints -- whether members of the Department or members of the public -- with courtesy and encouragement. Toward that end, we are making the Language Line translation service available to the IAB Action Desk. In this way, complainants who do not speak or understand English may have immediate access by telephone to translators on the same line with IAB officers.

To encourage members of the Police Department, as well as the general public, to report corruption, we have established a new, easy-to-remember, toll-free number. It is 1-800-PRIDE PD. We are also encouraging complainants -- police and civilian -- to write either to a special IAB postal box -- Box 111 in Brooklyn 11201 -- or personally to me at Police Headquarters. I want every member of the Police Department to know that if they have any reservations about reporting corruption to a particular supervisor or commander, they always have the option of going directly to the Police Commissioner.

In testifying about the improvements we have made to our internal investigative systems, I don't want you to conclude that the issue of corruption-fighting ends there. Of course, it does not. It goes far beyond the reformation of Internal Affairs and even beyond the

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Commission..

4 Beginning with recruitment and training, we  
5 have to recognize that our commitment to integrity starts  
6 with those we select as probationary police officers and  
7 continue with the message we give them through training,  
8 both in the Police Academy and in the field.

9 We have established a committee on police  
10 culture to review the selection process for police  
11 officers, their training, and other issues, all with an  
12 eye toward enhancing an environment, or culture, that is  
13 intolerant of corruption and supportive of efforts to  
14 combat it. I have asked the committee to review the  
15 questions of maturity and education in determining  
16 whether they may be factors in screening out corruption-  
17 prone candidates.

18 Considering the enormous responsibility and  
19 authority conferred upon police officers, we have to ask  
20 ourselves whether the minimum age to become a New York  
21 City police officer should be raised. Right now a  
22 candidate for the Police Department may take the police  
23 officer examination at age sixteen and a half and be  
24 appointed at age twenty. Is that too young? Are the  
25 educational standards adequate in this day and age? It

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2 may be time for the New York City Police Department to  
 3 raise the minimum education requirement for police  
 4 officer to an associate college degree.

5 We need to do all we can to make certain that  
 6 police officer feel confident to come forward to report  
 7 corruption. I am confident about any ethic that would  
 8 resist such reporting.

9 We need to pay special attention to our first  
 10 line supervisors and their responsibility for integrity  
 11 control. The transition from police officer to sergeant  
 12 is difficult and far too quick. There is little  
 13 opportunity for a new sergeant to assume command with the  
 14 confidence that further training would afford.

15 Therefore, we are exploring the possibility of  
 16 establishing a sergeant's academy. It would provide a  
 17 hiatus between the role of police officer and supervisor  
 18 and a base for increased training and support. It will  
 19 also provide an extended opportunity to instill in all  
 20 sergeants the fact that leadership carries with it the  
 21 responsibility to impose discipline fairly but  
 22 unwaveringly.

23 Simultaneously, I am ordering a review of our  
 24 supervisory staffing models. You have heard testimony  
 25 about the reported ease with which corrupt-minded police

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2 officers could elude their supervisors in busy precincts.  
3 We need to look at that and determine whether the  
4 Department should make staffing decisions beyond the  
5 standard measure of police officers to sergeant ratios.  
6 Right now we have 297 vacancies for sergeants, and we are  
7 awaiting an examination to fill them, but even then we  
8 have to ask ourselves whether the traditional ratio is  
9 enough.

10 Throughout the chain of command, from sergeants  
11 on up, we need to exploit every opportunity to make it  
12 clear that supervisors and commanders who expose  
13 corruption in their own commands will be rewarded, and  
14 those who attempt to conceal it will be disciplined.  
15 Corruption-fighting is like other issues in management --  
16 you can be part of the problem or part of the solution.  
17 The commitment must be made at the top, and I can affirm  
18 to everyone in the Police Department that no one's career  
19 will be diminished if he or she is part of the solution.  
20 It can only be enhanced.

21 The Police Commissioner must be the number one  
22 corruption fighter. For that reason, I and my executive  
23 staff will be personally involved in the integrity  
24 training of the current class in the Police Academy. Two  
25 thousand six hundred probationary police officers are in

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2 training there -- the largest class in history -- and we  
 3 want to make the greatest impression possible, reminding  
 4 them that nothing is more important than their honor and  
 5 integrity.

6 The Police Department is a great and a strong  
 7 institution. We can take the so-called bad press. It  
 8 comes with the territory. What we can't afford is anyone  
 9 who thinks they are doing the Department a favor by  
 10 sweeping problems under the rug. Problems grow there and  
 11 come back with a vengeance, as these hearings have  
 12 demonstrated.

13 While I categorically reject the proposition of  
 14 some of the first Commission witnesses that police  
 15 officers are somehow trained to practice or accept  
 16 corruption, I believe the Police Department bears the  
 17 responsibility of reinforcing integrity at every turn.  
 18 We are doing so with revamped Police Academy curricula,  
 19 as well as in-service training. It is a message that  
 20 needs to be reinforced throughout a police career, if  
 21 only because the opportunities for corruption are  
 22 constant and inherent in law enforcement.

23 To help in that regard, we have convened groups  
 24 of police officers from various commands and various  
 25 tours to discuss issues centering on integrity and

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2 corruption. The focus groups include union  
3 representatives because of the important supportive role  
4 they can play in combatting corruption. We are also  
5 reaching out to the community in new ways. For example,  
6 we have established a pilot program that immerses police  
7 officers in the dominant cultures of a given police  
8 precinct. Language training is part of the program.

9 We have heard throughout the Commission  
10 hearings references to the Wall or Code of Silence.  
11 There is truth to it. There is a solidarity that grows  
12 out of the best of intentions and motivations, including  
13 the loyalty and sense of mission that binds people  
14 engaged in demanding and sometimes dangerous work. But  
15 there's a difference between a police officer who says  
16 "watch my back" and Michael Dowd's admonition to conceal  
17 corrupt activity.

18 In fact, the corrupt police officers who  
19 appeared were so self-damning and so good at being anti-  
20 role models that their testimony was videotaped by our  
21 Police Academy personnel who have been here filming since  
22 the beginning of the hearings. The witnesses' testimony,  
23 along with other portions of the Commission proceedings,  
24 will be used in training sessions for new recruits, as  
25 well as veteran police officers and supervisors.

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2                 If the Mollen Commission had the distasteful  
 3                 but necessary duty to produce scoundrels as witnesses,  
 4                 you also produced heroes. I concur with you, Judge  
 5                 Mollen, that Sergeant Joseph Trimboli fits that category.  
 6                 I have decided to promote Sergeant Trimboli at  
 7                 Departmental ceremonies at the end of this month. And,  
 8                 no, the timing is not coincidental.

9                 In addition to recognizing his obvious talent  
 10                and dedication as the lone investigator of the Dowd case,  
 11                we are recognizing his cooperation with and testimony  
 12                before the Mollen Commission as an act of sterling,  
 13                lasting service to police officers everywhere. And, yes,  
 14                we are sending a message to all other police officers  
 15                that Sergeant Trimboli is our definition of a "good cop."

16                I have no illusions about the problem  
 17                corruption poses. Our efforts to combat corruption will  
 18                produce more painful examples of people who violate their  
 19                oath and betray the public trust. So be it. Nothing  
 20                will be swept under the rug.

21                Like other institutions, the Police Department,  
 22                and law enforcement generally, are vulnerable to  
 23                corruption in a city awash with cash from the illicit  
 24                drug trade. The morale and good order of the entire  
 25                Police Department is at stake, and so is the public's

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2 confidence in its police. The police must have the  
 3 confidence of the public to operate effectively.

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4 As painful as I know this process has been to  
 5 the police officers and other members of the Department,  
 6 I want them and the public to know that it will make for  
 7 a stronger, revitalized organization. Certainly, that  
 8 was the case when former Police Commissioner Patrick  
 9 Murphy took the opportunities created by the Knapp  
 10 Commission to build a stronger Department. But no  
 11 organization, no integrity controls, no matter how well  
 12 conceived, no matter how able the Commissioner who  
 13 implements them, will last forever. Teddy Roosevelt and  
 14 Pat Murphy could attest to that.

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15 As you have heard in previous testimony, it was  
 16 a matter of faith that the reforms of the Knapp  
 17 Commission would work forever. No one really monitored  
 18 to see if that was so. No one looked to see how well the  
 19 system performed in light of the crack epidemic of the  
 20 80's. As we found in my report on the Dowd case, it  
 21 turned out to be blind faith.

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22 We need to safeguard against complacency and  
 23 against whatever vagaries, be they crack cocaine or some  
 24 future unknown condition, conspire against the best of  
 25 intentions. For that reason, I would favor a formal

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2 monitoring process, independent of IAB, but one that  
 3 preserves the authority and the accountability of the  
 4 Police Commissioner to conduct investigations and impose  
 5 discipline, and one that keeps the Police Commissioner  
 6 fully informed and involved. To do otherwise is to  
 7 undermine accountability and to invite a cure worse than  
 8 the disease.

9                   In closing, I want to say how important it is  
 10 that the police officers of this City know we believe in  
 11 them. I do. The proudest day of my life came thirty  
 12 years ago when I took the oath as a New York City police  
 13 officer. Every day since then, my faith is restored by  
 14 the men and women I work with and whom I now have the  
 15 privilege to lead.

16                  Judge Mollen said it best when he reported the  
 17 Commission finding that, "Each day throughout the year  
 18 the vast majority of police officers throughout the City  
 19 perform one of society's most important, sensitive, and  
 20 dangerous jobs with efficiency and integrity."

21                  As difficult as I know these last two weeks  
 22 have been for the members of the Police Department and  
 23 the public, I am confident that the Commission's faith in  
 24 this City's police officers is well deserved and widely  
 25 embraced. As we look ahead, I am also drawn once more to

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2 the words of Theodore Roosevelt when he said, "There is  
 3 no good reason why we should fear the future, but there  
 4 is every reason why we should face it seriously, neither  
 5 hiding from ourselves the gravity of the problems before  
 6 us, nor fearing to approach these problems with the  
 7 unbending, unflinching purpose to solve them aright."

8 Thank you, Judge.

9 MR. CHAIRMAN: On behalf of the Commission, I  
 10 want to thank you very much for your very broad, your  
 11 very detailed and excellent statement. I also want to  
 12 take this opportunity, and I think I can speak on behalf  
 13 of all the members of the Commission, to congratulate you  
 14 and to highly commend you for the steps that you have  
 15 already taken to deal with this very serious, troublesome  
 16 problem of corruption.

17 I also would hope that your statement and steps  
 18 that you've taken to deal with the problem will help to  
 19 restore public confidence and faith in the integrity of  
 20 the Department from the Commissioner down. It is so  
 21 important that the public have faith in the integrity and  
 22 take recognition of the fact that you have alluded to and  
 23 which I've alluded, as you pointed out, that the  
 24 overwhelming majority of police officers are honest,  
 25 incorruptible, and are doing a very difficult and